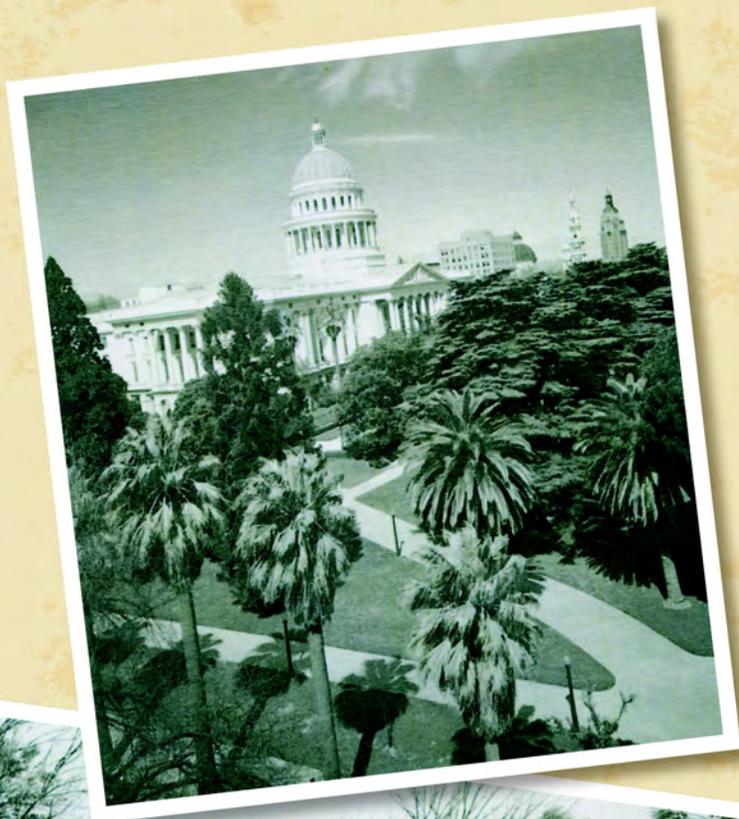


Historic State Capitol Commission 2015 Annual Report



Historic State Capitol Commission
State of California

Presented to the Legislature
June 2016

**Historic State Capitol Commission
2015 Annual Report**

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State of California

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Historic State Capitol Commission
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A HISTORY OF THE HISTORIC STATE CAPITOL COMMISSION

Prior to the 1976 California Capitol Restoration Project, no guidelines or advisory authority existed to preserve and maintain the historical integrity of the Capitol and its artifacts, antiques and art. Consequently, succeeding administrations were unrestricted and free to do as they saw fit with the premises, its architecture and historical contents. In February 1976, by Joint Resolution of the Legislature, the Capitol Restoration Project was declared the State's Bicentennial Project and a Capitol Commission was authorized to protect its historical and architectural restoration integrity in perpetuity. The Commission was to be composed of qualified individuals in architecture, history and government who would review the maintenance, restoration, development, and management of this landmark building.

The seven-member Commission was officially established in 1984 after the close of the Capitol Restoration Project. It was provided specific powers to review and advise the Legislature on any development, improvement, or change in the Historic State Capitol. The Commission met sporadically from September 1985 through April 1987. In 1998, the Commission reconvened with new members and recommitted itself to establishing advisory and working relationships with other stewards of the Capitol. In 2012, new legislation revised the definition of "Historic State Capitol" to include portions of the East Annex that contain historic fabric, as defined, and Capitol Park, provided that the park is included in the Historic State Capitol upon adoption by the Joint Rules Committee of a master plan regarding Capitol Park.

It is a statutory responsibility of the Commission to provide an annual report to the Legislature on its activities.

For copies of previous reports, please contact Koren Benoit, Executive Director, Historic State Capitol Commission, at 916-651-1504 or Koren.benoit@sen.ca.gov.

California Historic State Capitol Commission

MEMBERS

ROBERTA DEERING, LEED AP
CATHY GARRETT, ASLA, LEED AP
PAULA PEPPER, URBAN ECOLOGIST
RAYMOND GIRVIGIAN, FAIA
RETIRED CHAIR EMERITUS



RICHARD COWAN, PE, CHAIR

EX-OFFICIO MEMBERS

NANCY LENOIL, CA, FSAA
STATE ARCHIVIST
GREG LUCAS
STATE LIBRARIAN
JULIANNE POLANCO
STATE OFFICE OF HISTORIC PRESERVATION

June 2016

On behalf of the Historic State Capitol Commission, I am pleased to forward you our 2015 Annual Report.

For 2016, we have adopted the following goals:

1. Achieve the completion of the Capitol Park Proposed Master Plan for adoption by the Legislature. We made no progress in 2015 as questions of contracting authority and financial accounting support to the Commission were researched and settled to the satisfaction of the Legislature. We now hope to collect our stakeholders and make our award with a target goal of completion by the end of fiscal year 2016-17.
2. Continue collaboration with other agencies on Capitol View protection and creation of a Monument District. CalPERS has begun planning a project on Capitol Mall, and we have engaged with them to ensure that State-legislated height and setback limitations are honored. The City of Sacramento has a construction project underway to provide better vehicular access from Tower Bridge to Old Town, and we have reviewed the plans to ensure there is no impingement on the view corridor. Sacramento City Council has been seeking better utilization of Capitol Mall, and we have advised them we wish to be included in discussions to ensure maintenance of the view corridor. There is widespread support for a Monument District surrounding the Capitol building, where monuments of statewide significance could be placed rather than assuming every monument should be placed in Capitol Park. We will seek the Legislature's approval for beginning such a District on State properties, to be followed by allowing City, County, and Federal, CADA, and RT sites to also be nominated to the District.
3. Assist and Advise on the East Annex Study. Depending upon the Legislature's approval of funding, in the next year, the Department of General Services will study how to provide for Legislative Members and staff to have safer, more comfortable space than the current East Annex allows. Since the East Annex is a historic building, a balance among historic value, comfort, safety, and functionality is needed.

We hope our quarterly written updates have been useful to you and your staff. We thank you for the California Legislature's long commitment to the beauty and meaning of California's Capitol Building and Capitol Park.

Sincerely,

A handwritten signature in black ink that reads 'Richard F. Cowan'. The signature is written in a cursive style with a large initial 'R'.

RICHARD F. COWAN, PE
Chairman

**HISTORIC STATE CAPITOL COMMISSION
CURRENT MEMBERS AND BACKGROUNDS**

Article 9 (commencing with Section 9149) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code states: *"There is in state government, the Historic State Capitol Commission, which shall consist of seven members: two members appointed by the Speaker of the Assembly, two members appointed by the President pro Tempore of the Senate, and the State Historic Preservation Officer, the State Librarian, and the State Archivist, who shall serve ex officio."*

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
Richard Cowan Sacramento, CA	Senate Appointee January 2011	Jan. 2017	Public Member (Construction Engineer)

Dick Cowan is a Sacramento area native and a registered Professional Engineer. After his active duty in the Navy Civil Engineer Corps, Dick spent three years on the Historic State Capitol Restoration Project. He has built projects in Asia, Europe and around the United States. He currently is an independent consultant, specializing in alternate delivery of public sector design and construction projects.

Roberta Deering Sacramento, CA	Senate Appointee February 2015	Jan. 2021	Public Member (Cultural Resources Management)
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Roberta Deering, LEED AP, serves as Preservation Director/Senior Planner with the City of Sacramento overseeing its Certified Local Government Historic Preservation Program. She has worked in historic preservation for over 30 years, with local and state (of Illinois) preservation agencies and with not-for-profit organizations, including serving as Executive Director of the California Preservation Foundation and economic development coordinator with the Upper Illinois Valley Association within the Illinois & Michigan Canal National Heritage Corridor. She holds a Master's degree in Urban Planning from the University of Oregon and a Bachelor of Arts from UC Davis.

Cathy Garrett Oakland, CA	Assembly Appointee September 2012	Jan. 2019	Public Member (Landscape Architect)
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Cathy Garrett, ASLA LEED AP, is the president of PGAdesign, Inc., a firm of landscape architects in Oakland. She specializes in preservation projects and has been a licensed landscape architect since 1987. Prior to settling in California in 1993, Ms. Garrett practiced landscape architecture in New York, England and her native country Australia. She is a past president of the California Preservation Foundation, and a founding Chair of the Northern California Chapter of the Historic American Landscape Survey.

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
Nancy Lenoil , CA, FSAA State Archivist Sacramento, CA	Ex officio (Appointed June 2006)	N/A	History

Nancy Lenoil, CA, FSAA, is the State Archivist and Chief of the Archives Division of the Office of the Secretary of State, and is responsible for administration of the California State Archives. She has served as State Archivist since 2006 and has the distinction of being the first woman in California history to occupy the position. Ms. Lenoil is a Certified Archivist, member of the Academy of Certified Archivists, and is a Fellow of the Society of American Archivists. She has a Master's degree in History with a Graduate Certificate in Archives Administration and has worked at the California State Archives as an archivist since 1987.

Greg Lucas State Librarian Sacramento, CA	Ex officio (Appointed March 2014)	N/A	History & Politics
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Greg Lucas was appointed State Librarian of California by Governor Edmund G. Brown Jr. on March 25, 2014. He was senior editor for Capitol Weekly from 2011 to 2014. Lucas has written and edited California's Capitol, a website he created in 2007 focused on California history and politics. He was Sacramento bureau chief and a Capitol reporter for the San Francisco Chronicle from 1988 to 2007. He covered the Capitol for the Los Angeles Daily Journal from 1985 to 1988. Lucas has a Master's degree in Professional Writing from the University of Southern California and a Bachelor's degree in Communications from Stanford University.

Paula Peper Sacramento, CA	Assembly Appointee (Appointed April 2015)	Jan. 2021	Public Member (Urban Ecologist)
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Paula Peper served as the urban ecologist at the U.S. Forest Service Center for Urban Forest Research in Davis, California for over 20 years, specializing in assessing and modeling urban tree growth for over 170 species in cities throughout the United States. Her research contributed to the *Community Tree Guide: Benefits, Costs, and Strategic Planting* book series for 16 U.S. climate zones and the software suite *i-Tree: Tools for Assessing and Managing Community Trees and Forests*. Although recently retired, she continues to provide advice to urban forest managers and non-profit tree organizations across the United States. She also operates a historical environmental research business in Sacramento, investigating and reporting historic changes to community and neighborhood landscapes through time.

Julianne Polanco State Historic Preservation Officer Sacramento, CA	Ex officio (appointed June 2015)	N/A	Architectural Historian
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Julianne Polanco served as a Commissioner and Chair of the California State Historical Resources Commission from 2005 to 2015. She was the Director of Cultural Resources for Lend Lease Americas since 2006. Prior to that, Ms. Polanco was Senior Preservation Specialist at the Presidio Trust from 1999 to 2006, and Assistant to the Vice President for Programs at the World Monuments Fund from 1998 to 1999. Her professional work has also included serving as

Member

Appointment

End of Term

Background

Julianne Polanco (con't)

Advisor to the Chairman of California Integrated Waste Management Board and Special Assistant to the Secretary of the California Environmental Protection Agency. Ms. Polanco is a Trustee Emeritus of the California Preservation Foundation, past Board of Directors of San Francisco Architectural Heritage, and a member of the National Trust for Historic Preservation and US/ICOMOS.

Raymond Girvigian
Pasadena, CA

Retired Chair Emeritus

1984 - 1998

Honorary Member

Ray Girvigian, FAIA, has been a pioneer in the Historic Preservation Movement for the past half century by initiating, creating, drafting and actively coordinating the passage of many firsts in preservation law, ordinances, and regulations in California and Washington. He has contributed to the California Environmental Quality Act with respect to the historic elements of its regulations. Mr. Girvigian has also assisted in other legislative firsts such as the Mills Act, the State Historic Building Code, as well as the laws enabling the Capitol Restoration Project (for which he served as restoration architect) and the subsequent Historic State Capitol Commission.

COMMISSION ACTIVITIES AND ACCOMPLISHMENTS 2015 SUMMARY

Throughout 2015, the Commission continued its advisory work with several agencies on building projects affecting the interior and exterior of the Capitol.

The end of 2014 saw a major breakthrough in regards to the proposed Capitol Park Master Plan. The idea of a legislative-led plan was endorsed by Joint Rules, with support from the Department of General Services (DGS), State Parks and the California Highway Patrol. A working group was established, consisting of those with a vested interest in the proposal. DGS has continued their conversations with the Department of Veterans Affairs regarding the completion of a Master Plan for the All Veterans Memorial; a preliminary document was drafted for adoption by Veterans Affairs which outlines the use of additional pavers and stone benches for future memorials honoring specific veteran groups.

The Commission continued its review and commentary on several DGS-led projects, including the Governor's Office energy upgrade, which included LED lighting, motion sensors and wireless switches. DGS also kept members informed of the proposed Capitol Park tree tag project, funded by the California Federation of Women's Clubs. Due to a funding shortfall, the project is now limited to tagging only 500 trees. The group is looking to complete the project in March 2016. DGS advised on the importance of maintaining the genetic integrity of the trees in Capitol Park, and the feasibility of genetically reproducing historic trees. Commission members offered assistance with the tree replacement selection process and achieving original plant diversity.

Senate and Assembly Facilities updated the Commission on several continuing projects, including Wi-Fi infrastructure in the Capitol. New access points were installed in the Legislative Chambers, 1st floor committee rooms, leadership offices and basement to provide better coverage and more secure and faster service. Refinishing of the 2nd floor West portico monumental doors and the 2nd floor rotunda railing was completed in 2015.

Throughout the year, the following groups provided special presentations to the Commission:

- ❖ The Executive Director and Public Art Program Director for the Sacramento Metropolitan Arts Commission reported on the Art in Public Places program. The program reserves a portion of construction dollars from city, county or redevelopment projects for public art. Since 1977, the program has grown to include more than 700 works of art. Members were also advised of the "Our Town" National Endowment for the Arts grant applied for by West Sacramento City Council. The grant would bring art to the Washington district and along the proposed streetcar route.

- ❖ The Preservation Director for the City of Sacramento Community Development Department reported on the I-5 Riverfront Reconnection Project. The project would extend the local grid to provide better access to the riverfront and between Old Sacramento, Capitol Mall and the Crocker Art Museum. As part of the Capitol Mall Street Light Project, the California Register of Historical Resources has determined that the mall is of historical social and cultural significance and may be eligible for listing.
- ❖ The State Treasurer's Office reported on the completion of Phase I of the security upgrade for the State Treasurer's building and grounds. Phase I included the installation of additional card readers. Pending funding, Phase II will explore installing exterior cameras.
- ❖ The California Department of Veterans Affairs provided several presentations to members regarding planned improvements to the Mexican-American Veterans Memorial. The memorial will be enhanced in three separate, yet complete, phases. A few minor changes were made to the contract as well as the planting list. Several Commission members met with Veterans Affairs staff and the contractor to discuss the proposed list and made suggestions for drought friendly plantings as well as species indigenous to Mexico.
- ❖ California State Parks/State Capitol Museum reported on its exhibit schedule. This year saw the conclusion of the Pan Pacific International Exposition exhibit and the opening of the new exhibit "Called to Action: California's Role in WWII." Commission members approved the Museum's request to upgrade first floor corridor signage. Museum staff assisted the Commission with a proposal to install a National Register plaque on the historic State Insectary building. Members also discussed a State Library proposal to add QR codes to the Governor's portraits labels, but suggested the Library look at iPhone apps.
- ❖ The California State Capitol Museum Volunteer Association reported on various interpretive events held at the Capitol. For a second year, volunteers decorated several of the first floor museum rooms with period holiday decorations. The yearly dusting schedule continued for the Columbus and Isabella 1st floor rotunda statue, as well as the Columbus as a Young Man statue in the basement rotunda. Commission members approved a proposal to install a penny smasher "souvenir" machine in the basement and reviewed and approved the four penny designs. In 2015, the Association welcomed 17 new volunteers.

Commission members continued their involvement with Capitol Park memorials, including discussions with the Search and Rescue Memorial representatives and the Firefighters Foundation on possible alterations to their memorial that would

allow honoring names in perpetuity. The American-Portuguese Veterans Memorial has been downsized, consisting of a granite memorial bench and pavers.

Members continued fine-tuning the concept of a Monument District, which would provide alternative locations in Sacramento for memorials of statewide importance. Proposed bill language was not carried forward; perhaps in 2016.

Commission members actively sought out the return of two of the massive historic granite pillars that once stood in Capitol Park. Christ the King Passionist Retreat Center in Citrus Heights agreed to return the two that flanked their entrance. Site drawings were completed for installation at the West entrance; the project will also include clean-up, fence repair and plantings at the retreat site. A successful bidder was chosen; an end-of-year installation date is scheduled.

In June, a ceremony was held for the unveiling of the Ronald Reagan statue in the basement rotunda.

John Worsley was chosen by the California Legislature in 1976 to lead the restoration of the Historic West Wing. Prior to his death in 2014, John authored a manuscript detailing not only the artistic and technical features of the Restoration project, but the effort the Legislature made in finding the best balance among the options for the old Capitol building - wise use of public money, historic preservation, seismic safety, security, and other competing pressures. The Commission hopes to find a publisher for this manuscript and has begun discussions with the California State Capitol Museum Volunteer Association, the California Historical Society, and others.

2015 also marked the 165th anniversary of the signing of the first law enacted in California: Statutes of 1850, Chapter 1: An Act Concerning the Public Archives. The law established the State Archives on January 5, 1850.

This year, the Commission welcomed two new members to the board, one a Senate appointee and one an Assembly appointee. A new State Historic Preservation Officer (SHPO) was also appointed in 2015. SHPO serves the Commission as an ex officio member.

In June, the Commission distributed its 2014 annual report to the Legislature.

HISTORIC STATE CAPITOL COMMISSION GOALS FOR 2016

Achieve the Completion of the Capitol Park Master Plan

History: Capitol Park is a beautiful and beloved treasure of California, listed on National, California and Sacramento historic registers. Without a Master Plan, changes to the landscape and placement of monuments in the park occur piecemeal and without a central direction. In 2014, a working group, comprised of legislative and executive branch staff members, met and drafted a proposal that would address historic integrity, security, a vision for the park's use and policies, long-term planning for trees and plants, and placement of monuments. The working group drafted a Plan scope which won approval of the Senate and Assembly senior staff.

Goal for 2016: The Commission will appoint a committee to select a Project Management firm to oversee the development of the proposed Capitol Park Master Plan. Gathering the already accumulated research and resources from State and local agencies will also occur, as well as a first draft of the Plan prepared for review by the Legislature and other stakeholders.

Assist and Advise on the East Annex Study

History: The Governor's 2016-17 Budget, which includes a \$1.5 billion infrastructure plan, calls for \$2.9 million to study needed repairs and expansion to the six-story East Annex. The Annex, built between 1949 and 1951, houses the offices of the Governor and Lieutenant Governor, Assembly and Senate members, as well as committee hearing rooms.

Goal for 2016: The Commission will appoint a committee to meet with Department of General Services (DGS) staff to understand the issues driving the study, and to ensure that historic concerns are addressed among those that will characterize the options for presentation to the Legislature. Commission staff and members will offer documentation resources and knowledge to support the study. The Commission will hear updates from action parties during the course of the study and will advise the Legislature of its findings.

Collaborate with Other Agencies on Capitol View Protection and Creation of a Monument District

History: The Commission had initiated communications with the City of Sacramento on issues affecting the Capitol and Capitol Mall; particularly, the protection of the Capitol View Corridor. The Commission has increased its communications with the city, Department of General Services and Capitol Area Development Authority (CADA) on the concept of placing statewide significant monuments throughout the city. This policy would benefit both the city and the Capitol and seems appropriate. In 2014, Assemblyman Ken Cooley agreed to research a bill that would create a Monument District in the City of Sacramento; the bill would allow for places on State property be nominated for locations of future monuments of statewide importance. The bill would invite the city, county, Regional Transit and CADA to

nominate sites within the new district as well. Unfortunately, the proposed bill did not move forward.

Goal for 2016: The Commission will stay involved with other development proposals meant to create a more vibrant downtown, including the possible street car line, Golden 1 Center, K Street revamp, I-5 Riverfront Connection Project and CalPERS tower at 3rd and Capitol Mall. All have the potential for accidental impingement of the Capitol View Corridor, yet will offer opportunities for more visitors to appreciate the Capitol and Capitol Park. The Commission will re-attempt bill language.

Capitol Park Master Plan Proposal

Capitol Park is a beautiful and beloved treasure of California, listed on National, California and Sacramento historic registers. But no single state organization has the responsibility to oversee and plan for the current operation and expected growth in both visitors and use of Capitol Park. Without a Master Plan, changes to the landscape and placement of monuments in the park occur piecemeal and without a central direction. Even though there is wide consensus that there are too many monuments in the park, no document defines why the next proposed monument should or should not be sited in Capitol Park. Many of the trees are of the same age, but no written replacement program exists to ensure that there is a continued presence of mature trees to sustain the majesty of the park.

In 2014, the Joint Rules Committee tasked the Historic State Capitol Commission with creating a Master Plan Proposal for Capitol Park. The Commission established a Master Plan Proposal working group with representatives from Assembly and Senate Rules, Department of General Services, State Parks, California Highway Patrol, State Archives, the City of Sacramento, and the State Historic Preservation Office. The working group developed an Initiation Document spelling out the scope and extent of the Master Plan Proposal and won approval of that document from Assembly and Senate Rules staff, along with comments from the Governor's Office staff. Key issues include monuments in the park and a long-range plan for scheduled replacement of historic trees and plants. In December 2014, the Commission adopted the working group's Initiation Document outlining the Master Plan content and process. In late 2015, issues of funding and staff support to the Commission were resolved. Procurement of contracted staff should occur in 2016-17 and Master Plan submission to the Legislature is targeted for June of 2017.

The Capitol Park Master Plan Proposal will guide future care of the park and be well-founded on a balanced understanding of its history, current physical assets and myriad of contemporary uses that are being asked of it. The Legislature intends that Capitol Park remain or be returned to its historic condition of:

- ❖ An open space with views of the Capitol and of the historic plantings and trees;
- ❖ A safe space for pedestrians and tour groups at daytime and evening;
- ❖ A historic place where the buildings, trees and historic features of our past remain accessible and in context;
- ❖ A usable space for tourists, casual visitors, healthy exercise, public events and ceremonies; and
- ❖ A model for sustainable resource use and thoughtful use of the land.

It has been an ongoing practice for the Department of General Services to advise the Commission on pending memorials proposed for the State Capitol Building and/or Capitol Park and to ask for their input and recommendations. In some cases, legislation for a specific memorial contains language including the Commission in the review process.

CHAPTERED MEMORIALS
CAPITOL HISTORIC REGION

SB 722 (Correa)

California Mexican American Veterans Memorial

CHAPTERED 6/4/14

An act to amend Section 1341 of the Military and Veterans Code, relating to veterans

Existing law requires the Secretary of Veterans Affairs to establish a California Mexican American Veterans' Memorial Beautification Committee for the purpose of beautification and enhancement of a specified existing memorial on state grounds. Under existing law, funds for the beautification and enhancement of the memorial are required to be provided through private contributions and through existing funds collected under the auspices of the former California Mexican American Veterans' Memorial Beautification Commission. Under existing law, these funds are required to be deposited in the California Mexican American Veterans' Memorial Beautification and Enhancement Account, a continuously appropriated account within the General Fund. Existing law requires any funds remaining in the account as of July 1, 2014, to revert to the General Fund. This bill would extend the date for the reversion of funds in this account until July 1, 2016.

MEMORIAL STATUS: n/a

AB 1652 (Olsen and Valadao)

California American Portuguese Veterans Memorial

CHAPTERED 9/28/12

An act to add Section 14631 to the Government Code, relating to the State Capitol

This bill would authorize the American Portuguese Club Incorporated, in consultation with the Department of General Services (DGS) and a specifically created committee, to construct and maintain a memorial in the existing All Veterans Memorial to honor California American Portuguese veterans. It would require that the planning, construction, and maintenance of the memorial be funded with private donations through the American Portuguese Club Incorporated. It would prohibit construction of the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the memorial. It would establish the California American Portuguese Veterans Memorial Committee, consisting of the Director of DGS, the State Historic Preservation Officer, a Member of the Assembly, appointed by the Speaker, and a Member of the Senate, appointed by the Senate Rules Committee.

MEMORIAL STATUS: After working with DGS and the Department of Veterans Affairs, the American Portuguese Club approved (as part of the overall 'Master Plan' for the All Veterans Memorial) the installation of a granite memorial bench. Four pavers will be placed in front of the bench with the names of sponsors, donors and honored veterans. By end of calendar year 2015, the Club was still raising funds.

AB 2358 (Hagman)
Ronald Reagan Statue
CHAPTERED 9/28/12

An act to add Section 14632 to the Government Code, relating to the State Capitol

This bill would authorize the Ronald Reagan Centennial Capitol Foundation, in consultation with the Department of General Services, to plan a statue of Ronald Reagan in the State Capitol Building Annex. The bill would require the Department of General Services and the Ronald Reagan Centennial Capitol Foundation to approve the design and any other aspect of the statue. The bill would require that the planning, construction, and maintenance of the statue be funded with private donations through the Ronald Reagan Centennial Capitol Foundation. The bill would prohibit construction of the statue until the Joint Committee on Rules has approved and adopted the plan for the statue, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the statue.

MEMORIAL STATUS: The statue was unveiled during a special ceremony held in the basement rotunda on 6/22/15.

SCR 82 (Blakeslee)
Iraq War Veteran Memorial
CHAPTERED 8/24/12

Relative to California veterans who served in Iraq or Afghanistan

This measure would request that the Department of General Services work with appropriate 3rd parties to advise and oversee the creation of a memorial for the California veterans who fought and served in Iraq and, upon receiving donations from non-state sources covering the design, construction, and maintenance costs and ensuring that the memorial is in the best interest of the State Capitol Park, erect that memorial, in accordance with California law, in the State Capitol Park. This measure would state the intent of the Legislature to enact future legislation authorizing the creation of a larger memorial commemorating and thanking those who served in both Iraq and Afghanistan.

MEMORIAL STATUS: No movement.

AB 2043 (Spitzer and Ma)
Crime Victims' Memorial
CHAPTERED 9/29/08

An act to add Section 14630 to the Government Code, relating to the State Capitol

This bill would authorize the California Crime Victims' Memorial Foundation, upon its establishment, in consultation with the Department of General Services and a specifically created committee, to construct and maintain a memorial in the Capitol Historic Region to honor California residents who are victims of crime. It would require that the planning, construction, and maintenance of the memorial be funded with private donations through a nonprofit foundation to be established. It also would prohibit construction of the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, and the Department of Finance and the Joint Committee on Rules have determined that sufficient private funding is available to construct and maintain the memorial. The Foundation would consult with the California Crime Victims' Memorial Review Committee, comprised of:

- (1) Director of the Department of General Services;
- (2) State Historic Preservation Officer;
- (3) Assembly appointee: Assemblywoman Cathleen Galgiani appointed March 2009; Galgiani is now a Senator; Assemblywoman Sharon Quirk-Silva appointed

February 2013; Quirk-Silver is no longer a Member; Assemblyman Jim Cooper appointed November 2014; and
(4) Senate appointee: Senator Lou Correa appointed March 2009; Correa is no longer a Member; Senator Richard Pan appointed September 2015.

MEMORIAL STATUS: No movement.

SB 599 (Negrete McLeod)

California Mexican American Veterans' Memorial Beautification and Enhancement Committee.

CHAPTERED 10/12/07

An act to amend Sections 1330, 1331, 1332, 1333, 1334, 1335, 1338, and 1340 of, and to add Section 1341 to, the Military and Veterans Code, and to repeal Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans memorials.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Commission and provides for its composition and duties. Existing law authorizes the beautification and enhancement of an existing memorial on state grounds, as defined, and authorizes the commission to, among other things, establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services.

This bill would delete the provisions establishing the California Mexican American Veterans' Memorial Beautification and Enhancement Commission, and would instead require the Secretary of Veterans Affairs to establish a California Mexican American Veterans' Memorial Beautification and Enhancement Committee, as specified. This bill would authorize the committee to, among other things, establish a schedule for the design, construction, and dedication of the memorial; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services and the Secretary of Veterans Affairs. Existing law prohibits the commission from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law. This bill would delete the provision prohibiting the committee from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

MEMORIAL STATUS: Department of Veterans Affairs has finalized design plans; working with a phasing system; to begin work in 2016.

AB 136 (Emmerson)

Search and Rescue Memorial

CHAPTERED 10/8/07

An act to add Section 14628 to the Government Code, relating to the State Capitol

This bill would authorize the California State Sheriffs Search and Rescue Coordinators, in consultation with the Department of General Services and a specifically created committee, to construct and maintain a memorial in the Capitol Historic Region to honor California search-and-rescue volunteers who have died in the line of duty. It would require that the planning, construction, and maintenance of the memorial be funded with private donations through a nonprofit foundation to be established. It also would prohibit construction of the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules and the Department of Finance has determined that sufficient

private funding is available to construct and maintain the memorial. It would establish the Search and Rescue Memorial Review Committee, consisting of:

- (1) Director of the Department of General Services;
- (2) State Historic Preservation Officer;
- (3) Assembly appointee: No appointee at this time; and
- (4) Senate appointee: Senator Andy Vidak appointed January 2014.

MEMORIAL STATUS: No movement.

AB 1210 (Levine)

International Genocide Memorial

CHAPTERED 9/30/06

An act to add Chapter 4.1 (commencing with Section 6310) to Division 7 of Title 1 of the Government Code, relating to an international genocide memorial

Existing law provides for the placement of certain memorials on the grounds of the State Capitol, including a Vietnam Veterans Memorial, and establishes a commission with responsibilities related to the design and construction of that memorial.

This bill would make legislative findings about the need for the creation of an international genocide memorial and provide for the establishment of a commission in that regard. The bill would authorize the construction of the memorial in the Capitol Historic Region, subject to prior approval of the Department of General Services and the Capitol Park Master Plan Group. The bill would prohibit the expenditure of state moneys for these purposes.

Construction of the memorial shall not begin until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules. Funds for the construction of the memorial shall be provided through private contributions. It would establish an International Genocide Memorial Commission that would work to establish an accurate historical record of atrocities and would have the authority to seek private funding for a memorial, consisting of:

- (1) Two Assembly appointees (one a Member, the other a survivor or descendant of):
Assemblyman Mike Gatto and Maria Mehranian sworn in April 2011;
- (2) Two Senate appointees (one a Member, the other a survivor or descendant of):
Senator Carol Liu appointed February 2013; and
- (3) Five Governor appointees (one a member of the Governor's staff or a Governor's appointee in the executive branch and at least four survivors or descendants of): No appointees at this time.

MEMORIAL STATUS: No movement.

AB 3198 (Areias)

Firefighters Memorial

CHAPTERED 9/30/92

An act to add Chapter 4 (commencing with Section 13080) to Part I of Division 12 of, and to repeal Sections 13080 and 13082 of, the Health and Safety Code, relating to firefighters.

This bill would require the California Fire Foundation, under the recommendation of the Chair of the Assembly General Research Committee on Fire, Police, Emergency, and Disaster Services and the Chair of the Senate committee on Rules, to create the Firefighters' Memorial Task Force. The bill would authorize construction of a memorial to California firefighters on the State Capitol grounds, as defined. The bill would limit the overall size of the memorial to not more than ½ of the overall size of the California Vietnam Veterans' Memorial located on the grounds of the State Capitol. Funds for the construction of the memorial shall be provided exclusively through private contributions for this purpose.

MEMORIAL STATUS: Memorial dedicated in May 1995.

UPDATE:

The California Fire Foundation has sought the advice and assistance of the Joint Rules Committee, DGS and the Commission as to how to best navigate the approval process for proposed changes to the existing California Firefighters Memorial. Within 10 years, the current memorial will run out of space to list the names of those killed in the line of duty. A recent Legislative Counsel opinion would seem to dictate the need for new legislation if there are any changes to the current memorial.

MEMORIAL LEGISLATION THAT DIED OR WAS VETOED

SB 1324 (Anderson)

Introduced 2/21/14

An act to add Section 14633 to the Government Code, relating to the State Capitol

BILL STATUS: Died

This bill would allow the Department of General Services to be responsible for the planning and construction of a monument in the State Capitol park in honor of the contributions, history, and culture made by Native Americans in California. It would require that the planning, construction, and maintenance of the monument be funded with private donations through a nonprofit foundation to be established. The bill would require the Department of General Services to prepare a maintenance agreement outlining the responsibility of that nonprofit foundation for the long-term maintenance of the monument due to aging, vandalism, or relocation. The bill would require the department, in conjunction with the Historic State Capitol Commission and that nonprofit foundation, to approve the design, determine the location, review preliminary design plans, and review final construction documents for the monument, as provided. The bill would prohibit construction of the monument until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the memorial.

AB 146 (Olsen)

Amended 2/11/14

An act to amend Section 14631 of the Government Code, relating to the State Capitol

BILL STATUS: Died

This bill would make the following changes to existing law pertaining to the California American Portuguese Veterans Memorial:

- Delete the requirement that the memorial be built in the existing All Veterans Memorial but instead be built within the boundaries of the Veterans Memorial Grove;
- Delete the requirement that construction not begin until the approval of the Capitol Park Master Plan;
- Delete the requirement that the American Portuguese Club implement procedures to solicit designs and devise a selection process for the choice of design; and
- Defines "All Veterans Memorial" boundaries (Section 16* from foot of berm retaining wall due north to asphalt concrete pathways) and "Veterans Memorial Grove" boundaries (undeveloped area in Section 16 from the foot of the berm retaining wall due south to the N Street sidewalk).

**Section 16, as identified on Sheet 5, Capitol Park Topographic Survey, by Morrow Surveying Land Surveyors, dated 11/11/11.*

SB 1297 (Blakeslee)

Introduced 2/23/12

An act to add Section 14632 to the Government Code, relating to the State Capitol Park

BILL STATUS: Died; Author introduced SCR 82

This bill would require the Department of Veterans Affairs to plan and construct a memorial plaque in the State Capitol Park, in consultation with the Department of General Services, to honor California veterans who have fought and served in the War in Iraq. The bill would

require the memorial plaque and its maintenance to be funded through private donations. The bill would require donations received by the Controller for those purposes to be deposited in the War in Iraq Memorial Plaque Fund, which the bill would create as a continuously appropriated fund for that purpose, thereby making an appropriation. The bill would prohibit construction or affixion of the memorial plaque until the Department of Veterans Affairs has determined that sufficient private funding is available to construct the memorial plaque.

AB 1520 (Kehoe)

Introduced 2/21/04

An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

BILL STATUS: Vetoed 9/29/04

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Commission and provides for its composition and duties. Existing law authorizes the beautification and enhancement of an existing memorial on state grounds, as defined, and authorizes the commission to establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; and to monitor construction. This bill would create the California Veterans' Memorials Commission and would provide for its composition and duties. It would authorize the design, construction, and dedication of memorials approved by the commission at unspecified sites, as prescribed, and would authorize the commission to review, consider, and respond to requests for a memorial; hold public hearings in this regard; and approve the appropriateness of a site for a memorial for any specified group of veterans. The bill also would authorize the commission, once the commission has determined the need for any specific memorial, to establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; and to monitor construction. This bill would require that the funding for the memorial and for the operation and support of the commission be from private contributions.

This bill would create the California Veterans' Memorials Fund in the State Treasury, into which all moneys received pursuant to the bill would be deposited and would allow the commission to expend these funds, upon appropriation by the Legislature, for the purposes of implementing the bill. This bill would require the commission to notify the Governor and the Legislature whenever the design, construction, and dedication of a memorial is complete.

VETO MESSAGE (in a nutshell): This bill is unnecessary. California has already established the California Veterans Memorial – a memorial to all California Veterans in Capitol Park.

AB 3511 (Arelas)

Introduced 2/25/94

An act to add Section 9149.18 to the Government Code, relating to the Historic State Capitol Commission.

BILL STATUS: Died

This bill would require the Historic State Capitol Commission to establish a Capitol Park Master Plan for commemorative monuments. This bill would require the Commission in the establishment of the master plan to perform specific functions, including, but not limited to, developing a resource management plan to study the impact of future monuments on the integrity of Capitol Park, developing a long-range plan for placing additional monuments in the park, and using existing funds to create and implement the master plan.

MISCELLANEOUS (OLD LEGISLATION)

RE: Capitol Park Master Plan

ACR 148 (Bane)

Filed with the Secretary of State 9/9/88

Relative to Capitol Park

This measure would request the Department of General Services to include adequate funds in its budget for the 1989-90 FY for the preparation of a plan for the renovation and refurbishment of Capitol Park and to report its recommendations to a specified subcommittee of the Joint Rules Committee by January 1, 1990.

According to the bill analysis, Capitol Park is not a unit of the State Park system. It is not eligible for state park bond funds and is dependent upon sporadic support from the general fund. The existing plan for upkeep is a piecemeal approach, responding only to immediate needs. There has never been a plan which focuses on the long-term needs of the park.

RE: Veterans' Memorials

AB 2171 (Cook)

CHAPTERED 9/29/08

An act to add Section 14629 to the Government Code, relating to the State Capitol.

This bill would authorize the Military Order of the Purple Heart, Capitol Chapter 385, in consultation with the Department of General Services and a specifically created committee, to construct and maintain a memorial in the Capitol Historic Region to honor California residents who have been awarded the Purple Heart. It would require that the planning, construction, and maintenance of the memorial be funded with private donations through a nonprofit foundation to be established. It also would prohibit construction of the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the memorial.

MEMORIAL STATUS: Memorial dedicated on 8/7/10.

It was in this bill that the following language was added: "Any new veterans memorial approved pursuant to the master plan of the State Capitol Park, as adopted by the Joint Committee on Rules, shall be constructed within the existing boundary of the Capitol Veterans Memorial."

SB 1651 (Morrow)

CHAPTERED 8/23/04

An act to repeal Chapter 6 (commencing with Section 1320) of Division 6 of the Military and Veterans Code, relating to veterans.

This bill would repeal the provisions relating to the plaque honoring the six crew members of the S.S. Baton Rouge Victory on State Capitol grounds.

STATUS: Memorial provisions repealed.

According to the bill analysis, the original plaque design was too large and therefore unacceptable. A redesigned plaque idea was never provided and nothing further had transpired since 1992.

SB 1847 (Marks)

CHAPTERED 9/13/90

An act to add Chapter 6 (commencing with Section 1320) to Division 6 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

This bill would authorize the construction of a memorial plaque on the grounds of the State Capitol for the six crew members of the S.S. Baton Rouge Victory who were lost at sea when that U.S. cargo vessel carrying U.S. military supplies was sunk by hostile action on August 23, 1966. Funds for the construction of the memorial plaque would be provided through private contributions made to the Department of General Services for that purpose.

MEMORIAL STATUS: See SB 1651.

According to the bill analysis, it would be difficult to construct a separate memorial for everyone who was lost during the Vietnam War. Currently, the Capitol Grounds has a memorial for all California Vietnam veterans lost during that war. The visiting public may be confused with additional memorials related to the same cause. A memorial such as this could set a precedent for numerous other requests to memorialize individuals or groups and be in conflict with the existing Vietnam Memorial design dedicated to all Vietnam veterans.

SB 741 (Carpenter)

CHAPTERED 7/30/85

Relative to add and repeal Chapter 5 (commencing with Section 1310) of Division 6 of the Military and Veterans Code, relating to veterans.

Existing law provides for the Vietnam Veterans Memorial Commission and directs the commission to design, construct, and dedicate a memorial on the State Capitol grounds to Vietnam veterans. This bill would create the Veterans Memorial Commission and authorize construction of a memorial to veterans generally on the State Capitol grounds, as defined. Funds for the construction of the memorial shall be provided through private contributions. The Commission shall not solicit or receive any funds for construction of the memorial until the Vietnam Veterans Memorial Commission has completed construction of a memorial to California's Vietnam veterans.

MEMORIAL STATUS: Memorial dedicated in December 1998.

AB 650 (Floyd)

CHAPTERED 9/22/83

An act to add and repeal Chapter 4 (commencing with Section 1300) to Division 6 of the Military and Veterans code, relating to veterans.

This bill would authorize the construction of a memorial to California's Vietnam veterans on the grounds of the State Capitol. For purposes of this chapter, the grounds of the State Capitol are that property in the City of Sacramento bounded by Ninth, Fifteenth, "L", and "N" Streets. The actual site for the memorial shall be selected by the commission after consultation with the Department of General Services. Funds for the construction of the memorial shall be provided through private contributions.

MEMORIAL STATUS: Memorial dedicated on 12/10/88.

RE: Memorials

SCR 99 (Ortiz)

Filed with the Secretary of State 8/31/06

Relative to honoring the Sisters of Mercy

This measure would approve the construction of a memorial honoring the Sisters of Mercy in the Capitol Historic Region, as specified, subject to review by the Department of General

Services and the State Review Committee, formed pursuant to the measure. This measure would require the construction of this memorial to be funded privately, and would allow the Sisters of Mercy to design and construct the memorial upon approval, subject to specified conditions. The review committee shall identify an appropriate location for the memorial; if this site is not acceptable to the Sisters of Mercy, construction shall be contingent upon the adoption of the Capitol Park Master Plan. This measure would require the construction of this memorial to be funded privately.

MEMORIAL STATUS: Memorial dedicated outside the North visitor pavilion on 9/29/07.

SCR 77 (Keene)

Filed with the Secretary of State 7/1/86

Relative to the Governor Hiram W. Johnson Memorial Parkway

This measure would designate the section of roadway on the grounds of the State Capitol in the City of Sacramento which is the extension of Capitol Avenue between 15th Street and the State Capitol as "Governor Hiram W. Johnson Memorial Parkway." It would require the Department of General Services to determine the cost of erecting two appropriate plaques or markers, consistent with the design of Capitol Park, displaying this official designation and, upon receiving donations covering that cost, to erect those plaques and markers.

MEMORIAL STATUS: New parkway signs installed October 2008.

APPENDIX

CHAPTER 1757, STATUTES OF 1984

(Became law without governor's signature: filed with Secretary of State October 1, 1984)

The people of the State of California do enact as follows:

SECTION 1. The heading of Article 5 (commencing with Section 9105) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code is amended to read:

Article 5. The State Capitol Building Annex

SEC. 2. Section 9105 of the Government Code is amended to read:

9105. The State Capitol Building Annex is the annex to the historic State Capitol, constructed to the east of the original building, situated in the area bounded by 10th, L, 15th and N Streets in the City of Sacramento.

SEC. 3. Section 9106 of the Government Code is amended to read:

9106. The State Capitol Building Annex is intended primarily for the use of the legislative department and, except as otherwise provided in this article, shall be devoted exclusively to such use.

SEC. 4. Section 9108 of the Government Code is amended to read:

9108. The first floor of the State Capitol Building Annex is excepted from the provisions of this article. Such excepted space shall continue under the control of the Department of General Services. All other space in the State Capitol Building Annex shall be allocated from time to time by the Joint Rules Committee in accordance with its determination of the needs of the Legislature and the two houses thereof. The committee shall allocate such space as it determines to be necessary for facilities and agencies dealing with the Legislature as a whole including, but not limited to, press quarters, billrooms, telephone rooms, and offices for the Legislative Counsel and for committees created by the two houses jointly. The committee shall allocate to the Senate and Assembly, respectively, the space it determines to be needed by those houses and their committees and the officers, employees, and attachés thereof. The space thus allocated to the Senate and to the Assembly shall be allotted from time to time by the Senate Rules Committee and the Assembly Rules Committee, respectively.

SEC. 5. Section 9109 of the Government Code is amended to read:

9109. The determination of the Joint Rules Committee as to the needs of the Legislature shall be subject to change only by action of the committee or by concurrent resolution. If, at any time, the committee determines that there is space in the State Capitol Building Annex in excess of the needs of the legislative branch of the state government, it may release that space for use by the executive branch of the state government until such time as the space is needed by the legislative branch. The release shall be effected by notifying the Director of General Services that certain described space is not necessary for the use by the Legislature for the time being. Thereafter, the Department of General Services, until such time as the Director of General Services is notified that the space has become needed by the legislative branch, shall

have the same jurisdiction over the excess space as if this article had not been enacted.

SEC. 6. Section 9110 of the Government Code is amended to read:

9110. The maintenance and operation of all of the State Capitol Building Annex shall continue under the control of the Department of General Services, subject to the provisions of this article.

SEC. 7. Section 9112 of the Government Code is repealed.

SEC. 8. Article 9 (commencing with Section 9149) is added to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to read:

Article 9. The Historic State Capitol Commission

9149. The Legislature finds and declares that the historic State Capitol is a state historic and architectural legacy which must be preserved and maintained in a manner befitting the significance of the structures to the history and people of California. It is the intention of the Legislature, in enacting this article, to provide a permanent, official body to be charged with advisory review of the maintenance, restoration, development, and management of the historic State Capitol.

9149.1. As used in this article:

(a) "Commission" means the Historic State Capitol Commission created by Section 9149.2.

(b) "Historic State Capitol" is the building housing the state legislative offices and chambers, situated in the area bounded by 10th, L, 15th and N Streets in the City of Sacramento, except the east annex thereto.

9149.2. (a) There is in state government, the Historic State Capitol Commission, which shall consist of seven members, initially appointed as follows:

(1) Two members appointed by the Speaker of the Assembly, with one member initially serving a term of four years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(2) Two members appointed by the President pro Tempore of the Senate, with one member initially serving a term of two years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(3) The State Historic Preservation Officer, the State Librarian, and the State Archivist, who shall serve ex officio.

(b) Each member shall serve until his or her successor is appointed and qualified. Vacancies shall be filled by the appointing power for the remainder of the term. The commission shall from time to time elect one of its members to chair the commission.

9149.3. The appointees of both the Speaker of the Assembly and the President pro Tempore of the Senate shall include one person who represents the arts or humanities and one person from the general public.

9149.4. The members of the commission shall serve without compensation, but shall receive reimbursement for travel and living expenses in connection with their official duties, at rates established by the Department of Personnel Administration.

9149.5. The Joint Rules Committee shall appoint a Subcommittee on the Capitol Restoration Project, comprised of three members from the Senate and three from the Assembly, to monitor the commission. The legislators so appointed shall have no vote in commission proceedings.

9149.6. (a) Four members of the commission shall constitute a quorum to do business, and no action of the commission may be taken except upon an affirmative recorded vote of four or more members.

(b) All meetings of the commission shall be open to the public.

(c) The commission shall meet upon call of the chairperson and at such other times as it may prescribe.

9149.7. The commission shall have the following powers and duties:

(a) To prepare, complete, and, from time to time, to amend, a comprehensive master plan, based on a priority of needs, for the restoration, preservation, and maintenance of the historic State Capitol.

(b) To review and advise the Legislature on any development, improvement, or other physical change in any aspect of the historic State Capitol.

(c) To manage, with the approval of the Joint Rules Committee, all historic and museum spaces and any concessions, in the historic State Capitol.

(d) To develop and manage historic art loans or other programs, exhibits, films, convocations, or other activities of an historic, architectural, or cultural nature, including any museum space in the historic State Capitol, as the commission determines will serve the interests of the public and promote public interest in the historic State Capitol under Joint Rules Committee supervision.

(e) To purchase for the state, or to accept as gifts to the state, any furnishings, artifacts, works of art, or other property which the commission determines will enhance the historic and cultural aspects of the historic State Capitol. All furnishings, artifacts, works of art or other property so acquired shall be managed by the commission under supervision of the Joint Rules Committee.

(f) To accept financial contributions from any source, public or private, including any advisory foundation or group.

(g) To do any other act which the commission determines will maintain or enhance the historic and cultural legacy of the historic State Capitol.

9149.8. In carrying out its duties and responsibilities under this article, the commission shall follow accepted standards for restoration, preservation, and maintenance of historic structures, including all of the following, where applicable and feasible:

(a) Standards for historic preservation, maintenance, recordation, and documentation of landmarks, promulgated by the United States Department of the Interior or its successor.

(b) Guidelines and museum management procedures, established by the National Trust for Historic Preservation or its successor.

(c) Standards, procedures, and guidelines for maintenance and protection of historic properties established or administered by the State Historic Preservation Officer and the Office of Historic Preservation.

(d) The management, conservation, and accession policies and procedures for historic features and artifacts developed for the Capitol

Museum project interpretive program of the Joint Rules Committee in connection with the State Capitol Restoration Project conducted under Section 9124.

(e) Recommended procedures of the American Association of Museums.

9149.9. The commission shall maintain and may utilize all historic data, research, and project files developed and gathered by the state, and in the possession of the state, in connection with the State Capitol Restoration Project. On the date that the commission commences business, all of the written materials covered under this section shall be transferred to the State Archives to inventory, process, and store on behalf of the commission.

9149.10. The commission may request and shall receive assistance and data, relevant to the commission's duties and responsibilities, from every agency of state government.

9149.11. The commission shall maintain complete records of its proceedings and may publish reports and other publications in connection with its duties and responsibilities.

9149.12. The commission shall use any funds appropriated to its use, or allocated to its use by the Joint Rules Committee, donated to it, or acquired as revenue from any concession operated in the State Capitol, only for purposes of furthering the objectives of this article.

9149.13. The commission shall review and advise on any interagency agreement for management of concessions within historic State Capitol.

9149.14. The commission shall employ an executive officer, who shall have at least three years of administrative curatorial experience in the cultural or historic preservation fields, and staff persons as may be necessary to provide administrative services to the commission. No person may be employed as executive officer without approval, by majority vote, of the members of the Joint Rules Committee.

9149.15. The commission may contract with any agency, public or private, for services, in connection with the commission's duties and responsibilities, as the commission determines to be necessary, including, but not limited to, the Department of Parks and Recreation in connection with the management of the Capitol Museum, as approved by the Joint Rules Committee. These contracts shall be subject to and consistent with existing laws, rules, and state policy regarding contracts with private firms or individuals for services provided to the state.

9149.16. The commission annually shall report to the Legislature on its activities. The commission shall propose to the Legislature such recommendations for legislation in connection with the historic State Capitol as the commission determines to be necessary.

9149.17. The commission shall be supported by allocations by the Joint Rules Committee from the Contingent Funds of the Assembly and Senate. The commission annually shall submit to the Joint Rules Committee a proposed budget for each fiscal year. The budget shall be subject to approval by a majority vote of the Joint Rules Committee.

SEC. 9. Of any funds appropriated by Chapter 246 of the Statutes of 1975, Chapter 28 of the Statutes of 1979, and Chapter 214 of the Statutes of 1980 to the Contingent Funds of the Assembly and Senate for purposes of restoration or rehabilitation of the State Capitol as provided

in Section 9124 of the Government Code, which are not expended upon completion of the project of restoration or rehabilitation by the prime contractor and the return of the custody of the building to the state, one-half is reappropriated to the Assembly Contingent Fund and one-half is reappropriated to the Senate Contingent Fund.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the Historic State Capitol Commission commence its work as soon as possible, it is necessary that this act take effect immediately.



AB-2445 State Capitol. (2011-2012)

Assembly Bill No. 2445

CHAPTER 547

An act to amend Sections 8164.1, 8164.2, 8164.3, and 9149.1 of the Government Code, relating to the State Capitol.

[Approved by Governor September 25, 2012. Filed with Secretary of State September 25, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2445, Dickinson. State Capitol.

(1) Existing law provides that the Capitol Area Plan is the official state master plan for the development of the central city of the City of Sacramento, and provides that the Department of General Services is responsible for the ongoing formulation and revision of this plan. Existing law establishes the Capitol Area Committee, which consists of 9 appointed members, for the purpose of independently reviewing reports of the department to the Legislature and counsel and advising the department in carrying out its responsibilities regarding the Capitol Area Plan. Existing law requires the committee to meet at least quarterly or upon the call of the chairperson or the written request of any 3 members. Existing law provides for the repeal of the provisions that establish and govern the operation of the Capitol Area Committee on January 1, 2013.

This bill instead would require the committee to meet annually and upon the call of the chairperson or the written request of any 3 members. The bill would extend the repeal date for those provisions regarding the committee to January 1, 2018, thereby extending the operation of the committee by an additional 5 years.

(2) Existing law establishes the Historic State Capitol Commission for the purpose of providing advisory review of the maintenance, restoration, development, and management of the historic State Capitol. Existing law defines the term "historic State Capitol" for this purpose as the building housing the state legislative offices and chambers, situated in the area bounded by 10th, L, 15th, and N Streets in the City of Sacramento, except the east annex thereto.

This bill would revise this definition by providing that the historic State Capitol also includes the portions of the State Capitol Building Annex that contain historic fabric, as defined, and Capitol Park, provided that Capitol Park will be included in the historic State Capitol only upon the adoption by the Joint Rules Committee of a master plan regarding Capitol Park.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8164.1 of the Government Code is amended to read:

8164.1. There is in state government a Capitol Area Committee consisting of nine members who shall be appointed in the following manner:

(a) Four members of the committee shall be appointed by the Governor of which at least one member shall be appointed from a list of three candidates submitted by the City of Sacramento and at least one member shall be appointed from a list of three candidates submitted by the County of Sacramento. Two members shall be appointed for a term expiring December 31, 1979, and two for a term expiring December 31, 1981.

(b) Two members shall be appointed by the Speaker of the Assembly, one of whom may be a Member of the Assembly, and two members shall be appointed by the Senate Rules Committee, one of whom may be a Member of the Senate. Legislative members of the committee shall meet and, except as otherwise provided by the Constitution, advise the department to the extent that the advisory participation is not incompatible with their respective positions as Members of the Legislature. Of the four appointments by the Legislature, two shall be appointed for a term expiring December 31, 1979, and two for a term expiring December 31, 1981.

(c) One shall be appointed by and serve at the pleasure of the director.

Subsequent appointments pursuant to subdivisions (a) and (b) shall be for terms of four years, ending on December 31 of the fourth year after the end of the prior term, except that appointments to fill vacancies occurring for any reason other than the expiration of the term shall be for the unexpired portion of the term in which they occur. The members of the board shall hold office until their successors are appointed

and qualify.

The members of the committee shall not receive compensation from the state for their services under this article but, when called to attend a meeting of the committee, shall be reimbursed for their actual and necessary expenses incurred in connection with the meeting in accordance with the rules of the Department of Personnel Administration.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 2. Section 8164.2 of the Government Code is amended to read:

8164.2. (a) The committee shall elect a chairperson. The committee shall meet annually and upon the call of the chairperson or the written request of any three members.

(b) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 3. Section 8164.3 of the Government Code is amended to read:

8164.3. (a) It is the purpose of the committee to independently review the reports of the department to the Legislature and counsel and advise the department in carrying out its responsibilities related to the Capitol Area Plan. The committee may submit separate comments on the departmental reports on the Capitol Area Plan to the Legislature. The committee shall involve a broad cross section of interested citizens in the form of an advisory body. The advisory body shall serve without compensation.

(b) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 4. Section 9149.1 of the Government Code is amended to read:

9149.1. As used in this article, the following terms have the following meanings:

(a) "Commission" means the Historic State Capitol Commission created by Section 9149.2.

(b) "Historic State Capitol" means the building housing the state legislative offices and chambers, situated in the area bounded by 10th, L, 15th, and N Streets in the City of Sacramento, including the portions of the State Capitol Building Annex that contain historic fabric, and Capitol Park, provided that Capitol Park shall be included in the historic State Capitol for purposes of this article only upon the adoption by the

Joint Rules Committee of a master plan regarding Capitol Park.

(c) "Historic fabric" means original or added building or construction materials, features, and finishes that are deemed by the commission as historically or architecturally significant.

Historic State Capitol Commission By-Laws

Commission—Name

The "***Historic State Capitol Commission***" shall be constituted and shall have the powers and duties as specified herein.

The Commission's address is: 1020 N Street, Suite 255, Sacramento, CA 95814

Commission – Appointment

- A. The Board shall consist of seven (7) members.
- B. Three members shall be ex officio members: the State Historic Preservation Officer, the State Librarian, and the State Archivist.
- C. If an Ex Officio member cannot attend, they may designate a representative to attend meetings with voting privileges, as set forth herein.
- D. Each member shall serve until his or her successor is appointed
- E. The Appointees of the Speaker of the Assembly and the President pro Tempore of the Senate shall include one person who represents the arts or humanities and one person from the general public *with interest or expertise in historic preservation*.

(CA Gov. Code, Article 9, Sec. 9149.3)

COMMISSION – Term of Office

Two members shall be appointed by the **President pro Tempore of the Senate**, with one member initially serving a term of two years and one member initially serving a term of six years; thereafter any appointment under this paragraph shall be for a term of six years.

Two members appointed by the **Speaker of the Assembly**, with one member initially serving a term of four years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(CA Gov. Code, Article 9, Section 9149.2)

Commission – Compensation

The members of the Commission shall serve without compensation, but shall receive reimbursement for travel and living expenses in connection with their official duties, at rates established by the Department of Personnel Administration.

(CA Gov. Code, Article 9, Sec. 9149.4).

Commission – Vacancies

A vacancy on the Commission shall be filled by appointment by the appropriate appointing agency for the remainder of the term of the former member. Resignations shall be effective upon receipt in writing to the Senate, Assembly, Chair, or Vice Chair Elect unless a later effective date is specified in the resignation.

Commission – Rules and Procedures

- A. The Commission shall adopt its own rules of procedure, which shall include a provision requiring the Commission to select a **Chairperson** and **Vice-Chair Elect** from its membership.
- B. Election of the Chair & Vice-Chair elect shall be at its July quarterly meeting.
- C. The Chair & Vice-Chair Elect shall serve for two year terms.
- D. As stated under "vacancies," a vacancy shall be filled by appointment by the appropriate appointing agency for the remainder of the term of the former member. Should this member have been either the Chair or Vice-Chair, an emergency election will take place at the next regularly scheduled meeting. The newly-elected officer will fill the remainder of the two-year term.
- E. A quorum shall be required for the Commission to take any action. A quorum shall be four members present. The Board shall act by a majority vote of the quorum.
- F. The Commission shall be subject to, and shall comply with, the applicable open meeting laws.
- G. All meetings of the Commission shall be open to the public.

Commission – Meetings

The Commission shall meet at least four times per year.

The Chair may call special meetings.

Subcommittees may be formed, consisting of three Commission members

Commission – Secretary

The Secretary, or his or her designee, shall be designated by the Joint Rules Committee, and shall serve as a non-voting member and perform the duties required for the Commission.

Commission – Powers and Duties

- A. To prepare, complete, and, from time to time, to amend, a comprehensive master plan based on a priority of needs, for the restoration, preservation, and maintenance of the Historic State Capitol.

- B. To review and advise the Legislature on any development, improvement, or other physical change in any aspect of the Historic State Capitol.
- C. To manage, with the approval of the Joint Rules Committee, all historic and museum spaces and any concessions, in the Historic State Capitol.
- D. To develop and manage historic art loans or other programs, exhibits, films, convocations, or other activities of an historic architectural, or cultural nature, including any museum space in the Historic State Capitol, as the Commission determines will serve the interests of the public and promote public interest in the Historic State Capitol under Joint Rules Committee supervision.
- E. To purchase for the state, or to accept as gifts to the state, any furnishings, artifacts, works of art, or other property which the Commission determines will enhance the historic and cultural aspects of the Historic State Capitol. The Commission, under supervision of the Joint Rules Committee, shall manage all furnishings, artifacts, works of art, or other property so acquired.
- F. To accept financial contributions from any source, public or private, including any advisory foundation or group.
- G. To do any other act that the Commission determines will maintain or enhance the historic and cultural legacy of the Historic State Capitol.

(CA Gov. Code, Article 9, Sec. 9149.7 restated)

In carrying out its duties and responsibilities under this article, the Commission shall follow accepted standards for restoration, preservation, and maintenance of historic structures, including all of the following, where applicable and feasible:

- A. Standards for historic preservation, maintenance, recordation, and documentation of landmarks, promulgated by the United States Department of the Interior or its successor (The Secretary of the Interior's Standards for the Treatment of Historic Properties).
- B. Guidelines and museum management procedures established by the National Trust for Historic Preservation or its successor.
- C. Standards, procedures, and guidelines for maintenance and protection of historic properties established or administered by the State Historic Preservation Officer and the Office of Historic Preservation.
- D. The management, conservation, and accession policies and procedures for historic features and artifacts developed for the Capitol Museum project interpretive program of the Joint Rules Committee in connection with the State Capitol Restoration Project conducted under Section 9124.
- E. Recommended procedures of the American Association of Museums.

(CA Gov. Code, Article 9, Sec. 9149.8 restated)

The Commission shall maintain and may utilize all historic data, research, and project files developed and gathered by the state, and in the possession of the state, in connection with the State Capitol Restoration Project. On the date that the Commission commences business, all of the written materials covered under this section shall be transferred to the State Archives to inventory, process, and store on behalf of the commission.

(CA Gov. Code, Article 9, Sec. 9149.9 restated)

The Commission may request and shall receive assistance and data, relevant to the Commission's duties and responsibilities, from every agency of state government.

(CA Gov. Code, Article 9, Sec. 9149.10 restated)

The Commission shall maintain complete records of its proceedings and may publish reports and other publications in connection with its duties and responsibilities.

(CA Gov. Code, Article 9, Sec. 9149.11 restated)

The Commission shall use any funds appropriated to its use, or allocated to its use by the Joint Rules Committee, donated to it. Or acquired as revenue from any concession operated in the State Capitol, only for purposes of furthering the objectives of this article.

(CA Gov. Code, Article 9, Sec. 9149.12 restated)

The Commission shall review and advise on any interagency agreement for management of concessions within the Historic State Capitol.

(CA Gov. Code, Article 9, Sec. 9149.13 restated)

The Commission may contract with any agency, public or private, for services, in connection with the Commission's duties and responsibilities, as the Commission determines to be necessary, including, but not limited to, the Department of Parks and Recreation, in connection with the management of the Capitol Museum, as approved by the Joint Rules Committee. These contracts shall be

subject to and consistent with existing laws, rules, and state policy regarding contracts with private firms or individuals for services provided to the state.

(CA Gov. Code, Article 9, Sec. 9149.15 restated)

The Commission shall report annually to the Legislature on its activities. The Commission shall propose to the Legislature such recommendations for legislation in connection with the Historic State Capitol as the Commission determines to be necessary.

(CA Gov. Code, Article 9, Sec. 9149.16 restated)

The Commission shall be supported by allocations by the Joint Rules Committee from the Contingent Funds of the Assembly and Senate. The Commission annually shall submit to the Joint Rules Committee a proposed budget for each fiscal year. The budget shall be subject to approval by a majority vote of the Joint Rules Committee.

(Ca Gov. Code, Article 9, Sec. 9149.17 restated)

Changes to By-Laws, Rules and Procedures

The Commission may change, revise, modify or replace any by-laws or procedures at any time, by the majority vote of the members at any meeting, provided that all such proposed changes are communicated in writing to all Commissioners at least ten days prior to the meeting where action is contemplated.

Parliamentary Authority

The rules contained in Robert's Rules of Order Newly Revised, latest edition, open meeting laws, shall govern the Commission in all cases where they are applicable and in which they are not inconsistent with these by-laws and any rules and procedures the Commission may adopt.

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